

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3750 OF 2006

Shri Vitthal Rambhau Patkal. ...Petitioner
V/s.
The Maharashtra State Electricity
Distribution Co.Ltd. & Ors. ...Respondents

Mr.M.D. Parab for Petitioner.
Mr.R.D. Rane, GP for Respondent No.4 - State.
Ms.A.R.S. Baxi for Respondents No.1 to 3.

CORAM : DR.S. RADHAKRISHNAN &
V.M. KANADE, JJ.

DATED : AUGUST 17, 2006

P.C. :-

1. Heard learned Counsel for the petitioner, learned GP for respondent no.4 State and learned Counsel for respondents no.1 to 3.

2. By this petition, the petitioner is alleging that his birth date was wrongly shown in his S.S.C. Certificate as 1st June, 1948 whereas he contends the correct date of birth is 1st June, 1949.

3. Learned Counsel for the petitioner fairly conceded that the petitioner was aware that the date was wrongly shown in the S.S.C. certificate more than 30

years back.

4. For the first time a representation was made in the year 2006 when he was about to retire contending that the date of birth should be corrected as 1st June, 1949. We have also perused the Judgment of the Supreme Court in the case of **State of Orissa and others V/s. Ramanath Patnaik** reported in AIR 1997 Supreme Court 2452. So in the present petition, the petitioner has approached this court at the fag end of his career and this is a clear attempt to get an additional year of service on the verge of retirement. The petitioner should have got the date of birth corrected much earlier if it was true. Whereas for more than 30 years he took no steps at all to get it corrected. The petition is totally devoid of merits.

5. Hence, the petition is dismissed.

(DR.S. RADHAKRISHNAN, J.)

(V.M. KANADE, J.)